

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

FILED

2008 MAY 22 A 11: 52

E-FILING

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JW

UNITED STATES OF AMERICA,

CR -08 00343

RS

Plaintiff,

VIOLATION: 8 U.S.C. § 1326 -
Illegal Re-entry Following Deportation

v.

OSCAR AVALOS-SANCHEZ,

SAN JOSE VENUE

Defendant.

INFORMATION

The United States Attorney charges:

On or about April 29, 2008, the defendant,

OSCAR AVALOS-SANCHEZ,

an alien, previously having been arrested and deported from the United States on or about October 14, 1997, June 6, 2000, June 20, 2001, February 14, 2003, and August 1, 2006, was found in the Northern District of California, the Attorney General of the United States and the Secretary for Homeland Security not having expressly consented to a reapplication by the defendant for admission into the United States, in violation of Title

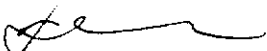
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INFORMATION

1 8, United States Code, Section 1326.

2
3 DATED:

4 JOSEPH P. RUSSONIELLO
United States Attorney

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6 
7 DAVID R. CALLAWAY
Deputy Chief, San Jose Branch

8
9 Approved as to form: 
10 SAUSA/Benjamin Kennedy

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**Title 8, U.S.C. § 1326 - Illegal
Re-Entry Following Deportation**E-FILING**

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY:
 20 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100 special assessment fee
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a prosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense
SHOW
DOCKET NO.
☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under
MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. Agency
Name of Asst. U.S. Att'y
(if assigned)

BENJAMIN KENNEDY

FILEDName of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

2008 MAY 22 A 11:52

DEFENDANT - U.S.

 RICHARD W. WIEKING
 OSCAR AYALOS-SANCHEZ
 U.S. DISTRICT COURT
 NO. DISTRICT COURT NUMBER
JW**CR - 08 00343****RS****DEFENDANT****IS NOT IN CUSTODY**

- 1)
- ☐
- Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other charges }
- ☐
- Fed'l
- ☐
- State

If answer to (6) is "Yes", show name of Institution

Has detainer
been filed?
☐ Yes
☐ No
If "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCESS:****ADDITIONAL INFORMATION OR COMMENTS**☐ SUMMONS ☒ NO PROCESS*☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____